

**State of California
Office of Administrative Law**

In re:
Department of Industrial Relations

Regulatory Action:

Title 8, California Code of Regulations

Adopt sections:
Amend sections: 344.30
Repeal sections:

NOTICE OF WITHDRAWAL


Government Code Section 11349.3(c)

OAL File No. 2011-0224-01 EE

This notice confirms that your proposed emergency regulatory action regarding Convergence Inspection Program Fee Increase was withdrawn from OAL review pursuant to Government Code section 11349.3(c). We will retain the rulemaking record you submitted in the event that you resubmit this emergency regulatory action prior to the expiration of the current emergency regulations (OAL file no. 2010-1202-03EFP).

Please contact me at (916)323-6831 or dcornez@oal.ca.gov, or the OAL Reference Attorney at (916)323-6815, if you have any questions about the resubmittal process. You may request the return of your rulemaking record by contacting the OAL Front Desk at (916)323-6225.

Date: 2/25/2011


Debra M. Cornez
Assistant Chief Counsel/Acting Director

Original: John Duncan
Copy: Jon Wroten

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-09)

OAL FILE NUMBERS: Z-	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2011-0224-01EE
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For use by Office of Administrative Law (OAL) only

NOTICE	REGULATIONS
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 AGENCY WITH RULEMAKING AUTHORITY
 Department of Industrial Relations

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Converance Inspection Program Fee increase	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2010-0617-03EFP, 2010-1202-03EE
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 344.30
	REPEAL
TITLE(S) 8	

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input checked="" type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input checked="" type="checkbox"/> File & Print <input checked="" type="checkbox"/> Other (Specify) <u>Labor Code Section 7314</u>	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only
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4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective 30th day after filing with Secretary of State <input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify)
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Other (Specify)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
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7. CONTACT PERSON Jon Wroten	TELEPHONE NUMBER (916) 263-2803	FAX NUMBER (Optional) (916) 263-2824	E-MAIL ADDRESS (Optional) jwroten@dir.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE



DATE

2/22/11

TYPED NAME AND TITLE OF SIGNATORY

John C. Duncan, Director, Department of Industrial Relations

For use by Office of Administrative Law (OAL) only

WITHDRAWN

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
TITLE 8. INDUSTRIAL RELATIONS
DIVISION 1. DEPARTMENT OF INDUSTRIAL RELATIONS
CHAPTER 3.2. CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH REGULATIONS
(CAL/OSHA)
SUBCHAPTER 2. REGULATIONS OF THE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
ARTICLE 8. ELEVATOR INSPECTION FEE SCHEDULE

§ 344.30. Conveyance Inspection Program Fees.

Pursuant to the provisions of Section 7314 of the Labor Code, the Division has fixed a schedule of inspection fees as follows:

(a) Reinspection (periodic inspection) and witnessing of periodic tests of an existing installation shall be:

(1) Hand dumbwaiters.....	\$ 70.00	<u>125.00</u> per unit
(2) Power dumbwaiters and material lifts.....	\$ 105.00	<u>225.00</u> per unit
(3) Hand elevators.....	\$ 70.00	<u>125.00</u> per unit
(4) Material lifts with automatic transfer devices....	\$ 140.00	<u>225.00</u> per unit
(5) Power sidewalk elevators.....	\$ 140.00	<u>225.00</u> per unit
(6) Hand-powered man platforms.....	\$ 140.00	<u>225.00</u> per unit
(7) Escalators and moving walks.....	\$ 280.00	<u>675.00</u> per unit
(8) Manlifts.....	\$ 140.00	<u>225.00</u> per unit
(9) Hydraulic elevator -direct plunger and roped hydraulic up to three stories.....	\$ 105.00	<u>225.00</u> per unit
(10) Hydraulic elevator -direct plunger and roped hydraulic 4 stories or more.....	\$ 140.00	<u>225.00</u> per unit
(11) Cabled elevator -up to 3 stories.....	\$ 140.00	<u>225.00</u> per unit
(12) Cabled elevator -4 to 10 stories.....	\$ 210.00	<u>350.00</u> per unit
(13) Cabled elevator -11 to 20 stories.....	\$ 280.00	<u>450.00</u> per unit
(14) Cabled elevator -21 or more stories.....	\$ 350.00	<u>550.00</u> per unit
(15) Special access elevators.....	\$ 140.00	<u>225.00</u> per unit
(16) Screw type elevator.....	\$ 140.00	<u>225.00</u> per unit
(17) Wheel chair lift, vertical or incline.....	\$ 105.00	<u>125.00</u> per unit
(18) Stairway chair lift.....	\$ 70.00	<u>125.00</u> per unit
(19) Elevator installed by variance.....	\$ 140.00	<u>225.00</u> per hour
(20) Elevators or dumbwaiters with automatic transfer devices.....	\$ 140.00	<u>225.00</u> per unit
(21) Incline elevators.....	\$ 210.00	<u>350.00</u> per unit
(22) Construction personnel hoist.....	\$ 140.00	<u>225.00</u> per hour
(23) Special purpose personnel elevator.....	\$ 140.00	<u>225.00</u> per unit
(24) Rack & Pinion elevator.....	\$ 140.00	<u>225.00</u> per unit
(25) Vertical and inclined reciprocating conveyors....	\$ 140.00	<u>225.00</u> per unit
(26) Witnessing of periodic tests.....	\$ 140.00	<u>225.00</u> per hour
(27) Automatic guided vehicles on guideways.....	\$1120.00	<u>1800.00</u> per unit

(b) The fee for the inspection of a new installation of any type of conveyance will be ~~\$210.00~~ 225.00 per hour or any fraction thereof.

(c) The fee for the inspection of any alteration to a conveyance will be ~~\$210.00~~ 225.00 per hour or any fraction thereof.

(d) The fee for replacement inspections required under Section 3001(b)(3) will be ~~\$140.00~~ 225.00 per hour, or any fraction thereof.

(e) The fee for field consultations will be ~~\$280.00~~ 450.00 per hour or any fraction thereof. If the distance to the job site is more than 50 miles from the District Elevator Unit Office, the actual travel time will be added to the inspection time ~~on~~ in order to obtain the total charge.

(f) No charge shall be made in any one permit year for more than one inspection except where safety orders have not been complied with and subsequent inspections are necessary, annual or periodic testing is required, or where an alteration has been made to a conveyance. A fee of ~~\$140.00~~ 225.00 per hour or any fraction thereof shall be charged to determine if applicable safety orders have been complied with.

(g) A fee will be charged for processing and mailing a permit. The fee shall reflect the actual cost of processing and mailing up to a maximum of \$15.00.

(h) The fees to cover the cost of various certifications are as follows:

(1) Certified Qualified Conveyance Company (CQCC).....	\$ 700.00
(2) Certified Qualified Conveyance Inspection Company (CQCIC).....	\$ 700.00
(3) Certified Competent Conveyance Mechanic (CCCM).....	\$ 210.00
(4) Temporary Certified Competent Conveyance Mechanic (TCCCM).....	\$ 35.00/application
(5) Emergency Certified Competent Elevator Mechanic (ECCCM).....	\$ 35.00/application
(6) Certified Qualified Conveyance Inspector (CQCI).....	\$ 210.00
(7) Renewal of a CQCC, CCCM, CQCIC or a CQCI certification.....	\$ 140.00
(8) Replacement of a CQCC, CCCM, CQCIC or a CQCI certification.....	\$ 35.00
(9) Administration of Exam.....	\$100.00/exam

(i) The fee for an erection, construction, or installation permit, including the plan approval, is as follows:

(1) First hydraulic elevator, including direct plunger elevator and roped hydraulic elevator in a building.	\$140.00 <u>225.00</u> per story
(2) Additional similar conveyances in the same building.	\$140.00 <u>225.00</u> per unit
(3) First cable, screw and rack and pinion type elevators in a building.	\$210.00 <u>350.00</u> per story
(4) Additional similar conveyances in the same building.	\$210.00 <u>350.00</u> per unit
(5) Dumbwaiters, material lifts, vertical reciprocating conveyors and sidewalk elevators	\$350.00 <u>550.00</u> per unit
(6) Wheelchair lifts, stairway lifts, hand-powered elevators and dumbwaiters.	\$280.00 <u>450.00</u> per unit
(7) First escalator or moving walk in a building.	\$560.00 <u>900.00</u> per unit
(8) Additional similar conveyances in the same building.	\$140.00 <u>225.00</u> per unit

- (9) Automatic guided vehicles on guideways. \$1120.00 1800.00 per unit
(10) All other conveyances. \$140.00 225.00 per hour

(j) The fee for an alteration permit, including plan review, is as follows:

- (1) Permit for one or two alterations to a single unit.....~~\$280.00~~ 450.00
(2) Permit for same alterations to similar conveyances in the same building.....~~\$140.00~~ 225.00 per unit
(3) Permit for three or more alterations to a single conveyance.....~~\$560.00~~ 900.00
(4) Permit for same alterations to similar conveyances in the same building.....~~\$140.00~~ 225.00 per unit

(k) The fee for any change order review of plans shall be ~~\$140.00~~ 225.00 per hour. ~~with a minimum charge of \$280.00.~~

(l) Whenever a person owning or having the custody, management or operation of an elevator fails to pay the fees required under this section within 60 days after notification, he or she shall pay in addition to the fees required by this section, a penalty fee equal to 100 percent of the fee.

(m) An additional fee in the amount of \$675.00 shall be charged for inspections that result in the issuance of an Order Prohibiting Use.

Note: Authority cited: Sections 60.5, 6308, 7311.4 and 7314, Labor Code. Reference: Sections 60.5, 6308, 7311.4 and 7314, Labor Code.